

## JOURNAL OF THE HOUSE.

---

Monday, May 7, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, we call upon You for guidance as we take up and evaluate the legislative and public policy matters on this and every day's agenda. In carrying out our complex responsibilities and in our decision-making activities we try with Your help to be objective, fair, compassionate and open to the views of others. In these days of world wide violence and turmoil, we ask You to fill our hearts with peace, confidence in You and personal happiness. May the current and future needs of people and society and the consequences of our choices remain in clear focus.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

### *Appointment of the Minority Leader.*

The Minority Leader of the House announced that he had appointed Representative Ross of Wrentham to the special commission established (under Chapter 305 of the Acts of 2006) to make an investigation and study of long-term care options for neurologically or physically disabled adults who maintain emotional, psychological and intellectual capacities and who are underserved or unrepresented by a specific state agency.

Long-term  
care,  
study.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives DiMasi of Boston and Khan of Newton) congratulating Dean Robert H. Smith on the occasion of his retirement;

Robert H.  
Smith.

Resolutions (filed by Mr. DiMasi of Boston) recognizing May 16th, 2007 as the Massachusetts Commission on the Status of Women's Unsung Heroines Day;

Unsung Heroines  
Day.

Resolutions (filed by Mr. Rogers of Norwood and other members of the House) recognizing Massachusetts family businesses for their invaluable contributions to the Commonwealth;

Family  
businesses.

Resolutions (filed by Mr. Jones of North Reading) recognizing Russ Adams of Reading on his induction into the International Tennis Hall of Fame;

Russ  
Adams.

Scoliosis

Week.

James  
Kiley.Andrew  
Levin.Andrew  
Lawrence.Robert  
Quinn.

Resolutions (filed by Mr. Nyman of Hanover) recognizing Scoliosis Early Detection and Treatment Week, May 14-18, 2007;

Resolutions (filed by Messrs. Patrick of Falmouth and Perry of Sandwich) acknowledging the contributions of James Kiley to the Commonwealth of Massachusetts;

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Andrew Levin on his induction to the Massachusetts High School Football Coaches Association Hall of Fame;

Resolutions (filed by Mr. Rush of Boston) congratulating Andrew Lawrence upon achieving the rank of Eagle Scout; and

Resolutions (filed by Messrs. Scaccia of Boston and Rush of Boston) congratulating Robert Quinn upon achieving the rank of Eagle Scout;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Verga of Gloucester, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

#### Orders.

Eminent domain.

The following order (filed by Mr. Ross of Wrentham) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution prohibiting eminent domain (House, No. 1705),— with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass.

Initiative  
petitions.

The following order (filed by Mr. Rushing of Boston) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to initiative petitions (House, No. 1772),— with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass.

Eminent domain.

The following order (filed by Ms. Walz of Boston) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to eminent domain takings (House, No. 1771),— with reference to which the committee on the Judiciary has reported that the amendment ought to pass.

Worcester,

#### Communication.

legalized  
gaming.

A communication from the city council of the city of Worcester transmitting a copy of Resolutions urging the expansion of legalized gaming in the Commonwealth, adopted by said council, was spread upon the records of the House; and sent to the Senate for its information.

#### Petitions.

Dennis  
Water  
District.

A petition (accompanied by bill, House, No. 3741) of Cleon H. Turner and others relative to authorizing the Dennis Water District and MHC Old Chatham L.L.C. to exchange certain parcels of land (having been returned by the State Secretary, under the provisions of Chapter 3 of the General Laws, with a letter relative thereto) was referred, under Rule 24, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

New Bedford  
Police  
Association.

A petition (accompanied by bill, House, No. 4004) of Antonio F. D. Cabral relative to the death benefit paid to beneficiaries upon the death of retired members of the New Bedford police department by the New Bedford Police Association (having been returned by the State Secretary, under the provisions of Chapter 3 of the General Laws, with memoranda relative thereto) was referred, under Rule 24, to the committee on Public Service. Sent to the Senate for concurrence.

#### Paper from the Senate.

The following notice was received from the Clerk of the Senate, to wit:—

May 4, 2007.

Honorable Salvatore F. DiMasi  
Speaker of the House of Representatives  
Room 356, State House  
Boston, MA 02133

Dear Mr. Speaker:

On Tuesday, May 1, 2007, the Senate called for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amendment by Article LXXXI) of the Amendments to the Constitution, to consider the following proposals

General  
Court,  
terms.

Proposal for a legislative amendment to the Constitution increasing the term of the General Court from two to four year (see Senate, No. 21), with reference to which the committee on Election Laws has reported, recommending that said amendment ought NOT to pass [Senator Spilka and Representatives Atsalis of Barnstable and Rogeness of Longmeadow dissenting];

Proposal for a legislative amendment to the Constitution establishing an independent redistricting commission and criteria redistricting

Redistricting  
commission.  
Redistricting  
commission.

for state House, Senate, and Councillor districts (see Senate, No. 22), with reference to which the committee on Election Laws has reported, recommending that said amendment ought NOT to pass [Senators Augustus, Spilka and Brown and Representatives Eldridge of Acton, Rogeness of Longmeadow and Frost of Auburn dissenting]; and

Proposal for a legislative amendment to the Constitution relative to emergency appointments of elected officials (see Senate, No. 23), with reference to which the committee on Election Laws has reported, recommending that said amendment ought to pass [Senator Creedon dissenting].

Respectfully submitted,

WILLIAM F. WELCH,  
*Clerk of the Senate.*

*Reports of Committees.*

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to establish the Rutland Holden Sewer System transfer commission (House, No. 1970). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 208, a Bill relative to security freezes and notification of data breaches (House, No. 4012).

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill to enhance public safety and security in certain public housing developments (House, No. 1269).

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to county highways in the town of Granville (House, No. 1990).

By Mr. Kaufman of Lexington, for the committee on Public Service, on House, Nos. 13, 14 and 2603, a Bill relative to pension governance reform (House, No. 4011).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to the sale of land by the Massachusetts Water Resources Authority (Senate, No. 2179, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill regarding certain contracting procedures in the city of Boston (House, No. 1933).

By the same member, for the same committee, on a petition, a Bill relative to legislation to protect the privacy of employees of municipalities (House, No. 1935).

Officials, emergency appointments.

Rutland-Holden Sewer System.

Data breaches, security.

Public housing, security.

Granville, county highways.

Pension governance reform.

MWRA, sale of land.

Boston, contracting procedures.

Municipal employees, privacy.

Tisbury, underground utilities.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Tisbury to incur debt for the purpose of removing overhead utilities and replacing the same with underground facilities (House, No. 1996) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Next sitting.

*Order.*

On motion of Mr. DiMasi of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.